



July 26, 2019 – VIA ECFS

Chairman Ajit Pai
Federal Communications Commission
445 12th Street SW,
Washington, DC 20554

RE: Notice of Proposed Rulemaking (NPRM) in WC Docket No. 06-122

Dear Chairman Pai,

I am writing today in response to the Federal Communications Commission's (FCC) NPRM in the above-referenced docket which, among other things, considers changes to the Universal Service Fund (USF) programs, including E-Rate. Before delving into my response to the proposed changes, I want to thank the FCC for its continued support for the E-Rate program and for the critical programmatic and policy changes the Commission adopted in 2014. The E-Rate program provides critical discounts to assist schools (like mine) to obtain affordable telecommunications and internet access.

The Tigard-Tualatin School District (BEN: 144915) is the 9th largest school district in Oregon and the 5th largest in the Portland metropolitan area. We are an urban district that includes two high schools, three middle schools, ten elementary schools, and an alternative program. The district serves the communities of Durham, Metzger, King City and Bull Mountain as well as Tigard and Tualatin. During the last 25 years, Tigard-Tualatin has been one of the most rapidly growing school districts in Oregon. Our School District NSLP Percent is 35% and our Category One Discount Rate and Category Two Discount Rates are each 50%. Recently, our funding commitment for category one funding was \$100,000 (internet access) and category two funding was in excess of \$125,000 for switching, routing and access points for our schools. This savings of over \$225,000 allows us to fund two teaching positions. Without E-rate reimbursement at 50%, we would need to spend over \$400,000, or the equivalent of four teaching positions annually, to maintain our connectivity to the internet to access curriculum.

The E-Rate program, and the broader USF program, is a program succeeding in its mission. As the FCC moves forward with this public notice, it is prudent to remain focused on the fact that E-Rate is a program that works. Any changes to the E-Rate program should be focused on expanding a successful program that has yet to reach its full potential and ensuring the FCC remains a good steward of the changes adopted 2014, allowing those changes to progress and play out as intended. Changes to the E-Rate program and the broader USF program must be focused on bolstering and strengthening the original intent of the underlying programmatic statute, expanding equitable access to connectivity in multiple areas, through all four USF programs (E-Rate, Rural Health Care, Lifeline, and Connect America Fund).

The organizing theme of the proposed rule is a focus on a funding cap for the USF program, including pairing E-Rate under a funding cap with Rural Health Care. E-Rate played a critical role in the rapid and significant expansion of connectivity in schools, and I am concerned that the proposed rule will unnecessarily pit two important priorities—connectivity in schools with rural health care—against each other, resulting in an arbitrary funding pressure that not only disregards and dismisses the original intent of the statute creating all four USF programs, but also stands to undermine and threaten the great progress of E-Rate.

I am opposed to the rule as drafted. The proposed rule conflicts with the original legislative intent of the underlying 1996 Telecommunications Act, which was explicit in its creation of two separate and distinct programs for schools/libraries and rural health care providers. The proposed rule unnecessarily pits schools/libraries against rural hospitals/clinics, creating a false race to the bottom under which both programs and the communities they support

lose. The proposed rule will likely immobilize E-Rate funding and expand confusion among beneficiaries. Specific to E-Rate and schools, where school system leaders have a responsibility to balance their budget annually, the idea that the E-Rate funding would be hamstrung and lack certainty in availability will certainly impact how districts plan to continue (or discontinue, should funding not be certain or reliable) their effort to build out connectivity to meet the learning needs of their students.

The goal of the E-Rate program is simple: equitable access to affordable connectivity. While the overwhelming majority of schools and libraries are connected, the ongoing conversation about connectivity and E-Rate must continue to support and protect the shift from establishing connectivity to ensuring adequate connectivity (specifically, access to high-speed broadband). A massive overhaul of the E-Rate program without considering its initial purpose—one that has yet to be fully recognized—is poor policy. The FCC must support continuation of an E-Rate program that remains focused on expanding the E-Rate program from simple connectivity to expanded connectivity.

The E-Rate program has been instrumental in our district's ability to meet the growing needs of our staff and students. Under E-Rate funding, the Tigard-Tualatin School District has embarked upon a leased dark fiber project that will allow us to accommodate the exponential rise in bandwidth requirements as we move to 1:1 student to technology devices in grades kindergarten through 12th grade this fall. After years of inadequate funding to replace and refresh our curriculum, thanks to the passing of a local bond, Tigard-Tualatin School District is now able to initiate curriculum adoption cycles across multiple subjects that incorporate real-world experiences and differentiated functionality by ability and technology features that allow for instant feedback that empowers students' agency to engage in their learning.

The 2014 modernization of E-Rate allowed the Tigard-Tualatin School District to participate in the category two services funding for the first time. Over the past three years, this 2014 cap increase has saved our district over \$300,000 in reimbursements. The ability to refresh our outdated switching infrastructure, equip our network infrastructure closets with reliable UPSs to maintain reliable IP phone system and internet connectivity, and allow for wireless in each and every classroom giving *ALL* students access to the online resources for teaching and learning may not have been possible without the CAT two E-Rate funding. Without the funding for these resources, the transformational practices our teachers have adopted to prepare all students for college and career in the 21st century would be compromised. Teachers would lose access to resources only available to them through the internet, and students' access to content, industry professionals and distance learning would leave them ill-prepared for the competitive world of college and career.

In closing, I reiterate my district's continued, strong support for and reliance upon the E-Rate program for being able to access and afford the high-speed connectivity that is so central to our students' learning. Thank you for considering these comments.

Sincerely,

/s/Dr. Susan R. Rieke-Smith, Ed.D. (ECFS on 7/26/19)

Susan R. Rieke-Smith, Ed.D.

Superintendent